

EXHIBIT “4A”

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DBS

DEPUTY

21 - CR - 008217
DWS
Declaration of Warrant Summons (Affidavit)
13259254



Event Number: 210200075535

COUNTY OF CLARK

DOB: [REDACTED] SS#: [REDACTED]

LVMPD 314 (Rev. 8/00) WORD 2010

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"activists" in order to target Detective Mead for harassment, including providing intelligence on Detective Mead in the form of his purported resume.

A criminal history check of Joshua Martinez (DOB [REDACTED]) revealed a criminal history which included arrests for violent crimes and weapons charges. These arrests include; 7/2008 minor in consumption of alcohol, possess firearm while under the influence of drugs or alcohol, Driving under the influence, possess marijuana/ one ounce or less, possess unregistered firearm (denied); 10/2009 Assault with a deadly weapon, Discharge of a firearm at or in a house, Discharge of a firearm from a vehicle (dismissed); 7/2010 Possession of a firearm with obliterated/ altered serial number, Ex-Felon/ prohibited person in possession of a firearm (dismissed); 11/2014 Driving under the influence (plead guilty); 02/2017 False statement to police officer (found guilty at trial); 06/2017 Carrying a concealed weapon without a permit (dismissed); 11/2017 Trespass (dismissed); Attempted carry concealed weapon without permit (found guilty); 03/2019 Violation of probation (found guilty), 12/2020 Trespass (not adjudicated).

Martinez is a known anti-government/ anti-law enforcement activist. Martinez currently hosts a monetized Youtube page which primarily consists of videos from "1st amendment audits" (<https://www.youtube.com/channel/UCzP9l6r-yFPowEaNHndFglg/videos>). For context, 1st Amendment audits consist of single or multiple individuals photographing or filming in a public place, or a perceived public space such as military bases and medical facilities. "Auditors" often target law enforcement officers in the performance of their duties, as well as law enforcement facilities in which most auditors believe they should have un-fettered access. "Auditors" are often confrontational with any authority figures who deny them access, which may escalate to vulgar language and obstructing criminal investigations. Many auditors, to include Martinez, post their "audit" videos to YouTube channels. These channels are more often than not monetized, which means that the owner of the channel receives monetary compensation from YouTube, based on the amount of views a particular video receives. As an example, on 12/19/2020 Martinez posted a video to his YouTube channel entitled "First Amendment Audit -Arrested - Southern Nevada Health District - Joshua Martinez". During this video, Martinez and another identified "auditor" gain access to the front lobby of the Southern Nevada Health District facility located at 280 S. Decatur Blvd, LV, NV 89107. Martinez is subsequently asked by security staff to wear a facemask due to Covid-19 restrictions, to which he refuses to comply. Martinez and the second auditor continually try to gain access to patient areas (succeeding several times), after being repeatedly told that no filming is allowed in these areas to do HIPAA (Health Insurance Portability and Accountability Act) patient privacy concerns. Martinez is repeatedly asked to leave the facility by security personnel and management. Martinez refuses, and eventually LVMPD patrol officers arrive and take Martinez into custody. Martinez was arrested for trespassing on this occasion.

Other videos on Martinez's YouTube channel include videos discussing his arrest at the Lloyd D. George Federal Courthouse. Martinez is an avid supporter of Ammon Bundy (known anti-government activist who participated in the 2014 armed standoff at the Bundy ranch in Nevada, as well as the 2016 armed occupation of the Malheur National Wildlife Refuge in Oregon). Martinez protested numerous times at the Lloyd D. George Federal Courthouse during the Bundy Ranch trial, during which he was arrested for providing false information to a police officer.

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On a video posted to his YouTube account on 03/07/2019, Martinez discusses his arrest and trial for the charge of carrying a concealed weapon. During this video Martinez states "...I knew it was Detective Kenneth Mead who spearheaded this whole sting". "Then, I went to court and found out that Michael Dickerson (DDA Michael Dickerson) who also went after a couple other activists here in Las Vegas as well, he was handling the case. He handled the case I knew was controlled by Detective Kenneth Mead." Martinez goes on to explain again how Detective Mead was controlling the investigation even though he was not involved in the case.

On a video posted to his YouTube account on 3/11/2019 (<https://www.youtube.com/watch?v=bkEzC5HR-9U>), Martinez appears to have been arrested by the LVMPD outside the Lloyd D. George Federal Courthouse. In the narrative, Martinez states the following in part; "On February 9, 2017 I was arrested in front of the federal courthouse to attend the Bundy Ranch Trial to support the defendants. I was denied entry and requested information regarding the policy and the names of the Marshals and Federal Police who were enforcing this policy."

"Later I was taken around the corner and eventually to a police substation at the request of a Las Vegas Metropolitan Police Officer, Detective Kenneth Mead with the Anti Terrorist Task Force. He questioned me and seized my common law ID which he turned over to the FBI. I was eventually found guilty of obstruction in City Court. It was a bench trial, a judge decided. I appealed it and my appeal was denied."

"Ever since I met Kenneth Mead activism has gotten a little harder. He has followed me, and even showed up to my other court hearings, that he had nothing to do with, in an attempt to sabotage my case by presenting Facebook posts to the judge and prosecutor. He was successful in one case because the judge threw me in jail over my posts. I wasn't charged with a crime but my bail was revoked and I was remanded back into custody over an "anti-cop" meme."

Martinez is friends with many other "Auditors" from around the country. One of these individuals is known as "James Freeman" who utilizes a YouTube Chanel under the same name. On 03/05/2019, Freeman posted a video entitled "KENNETH MEAD - ANTI TERRORISM - What do Al'Qaeda, ISIS, and Joshua Martinez have in common?" (<https://www.youtube.com/watch?v=vWDdSQLxUD0>). During this video Freeman discusses Martinez's court case regarding his carrying a concealed weapon (CCW) charge. Freeman goes on to identify Detective Mead as the individual who presented evidence against Martinez in court. Freeman identifies Det. Mead as a detective who specializes in counter-terrorism investigations for the LVMPD. During the video Freeman looks up and divulges Det. Mead's yearly salary, and then attempts to draw comparisons between international terrorism investigations and the Martinez CCW trial based solely on the supposed involvement of Det. Mead. During the video Freeman further states that Det. Mead "...terrorizes American citizens, he showed up to Josh's (Martinez) court date." This video has 8942 views and is a further example of how Martinez utilizes his activism affiliations to harass Det. Mead, and that this harassment is long-standing and on-going.

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An article on "The free thought project" web site (<https://thefreethoughtproject.com/innocent-father-branded-constitution/>) posted on 02/22/2020, states "Martinez believes because he is a Constitutional activist he was targeted for arrest by one certain detective he later learned was a LVMPD Anti-terrorism Division Detective/Joint Terrorist Task Force with the FBI. His name is Detective Kenneth Mead. Cliven Bundy was cleared of all wrongdoing but Martinez wasn't so lucky." "Martinez believes Mead likes to lump all people who make waves as constitutionalists and brand them as troublemakers. That's what he says Mead did to him. Although Martinez cannot prove it, he has seen Mead show up in court for his own court proceedings." The article further states "On my sentencing on Feb. 26, I saw detective Mead with a Manila folder in his hand. This guy isn't supposed to be here. He wasn't the arresting officer and he wasn't on the case. My defense attorney came back to me and told me 'Dude he's got all these Facebook posts!'"

"Detective Kenneth Mead gave them to the prosecutor. The prosecutor gave them to the judge. And the judge just loses it and tells me I belong in prison. He gave us an option to either withdraw my plea or take it to trial." The article ends with the statement "He told us he believes his civil rights have been violated but says no civil rights attorney in Clark County will touch his case because they're afraid of LVMPD. He is currently looking for an outside attorney to take his case in a lawsuit against Det. Mead, and the LVMPD."

A review of the Joshua Martinez Facebook page (<https://www.facebook.com/profile.php?id=100055990480014>) showed numerous postings of his "1st amendment auditing" videos on YouTube as well as illustrating a disturbing pattern of violent anti-government and anti-law enforcement rhetoric. Below listed is examples of his violent anti-government postings. (Exhibit 2)

On 01/07/2021, Martinez posted a picture of two armed militia groups with the caption "Just imagine if these two groups United. We could really make a change. What a shame that people would rather fight each other than go after the real enemy."

On 01/06/2021, Martinez posted a picture of Ashli E. Babbitt (killed during a riot at the U.S. capitol building on 01/06/2021) with the caption "Remember this face next time you bootlickers want to wave your blue line flag. Get your heads out of your asses"

On 01/06/2021, Martinez posted "What country can preserve its liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance? Let them take arms!!!"

On 01/06/2021 Martinez posted a picture of human skulls underneath the words "Make politicians hang again!"

On 01/06/2021 Martinez posted "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants".

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On 01/02/2021 Martinez posted a picture of a stuffed dog with the caption "When the ATF kicks in your door and the first guy in the stack shoots your Tannerite (explosives) stuffed German Shepard: So you have chosen death".

On 12/31/2020 Martinez posted a picture of two individuals wearing black balaclavas labeled as Joshua Martinez and Alan Lias. The caption reads "You can't have a BOOG without the Balaclaval 2021 Resolution/Revolution". It should be noted that BOOG is short for the Boogaloo, a common term used among anti-government groups denoting armed revolution against the government.

On 12/28/2020 Martinez posted a picture of a cat who appears to be smiling with the caption "Me when the politician hanging from the overpass does that gurgle, swing kicky thing I like."

On 12/26/2020 Martinez posted a picture of an English soldier during the revolutionary war and a picture of a modern day police officer under the words "Sometimes tyranny changes costumes", along with the caption "Something for the FAKETRIOTS with their thin blue line flag".

On 12/22/2020 Martinez posted a picture of a guillotine under the words "Something you can do with your \$600 stimulus check" with the caption "Yes we can".

On 12/09/2020 Martinez posted a picture from the movie Troy under the words "When the boogaloo's kicked off and your friend can't bring himself to put the blood gurgling alphabet boy (common anti-government slang for a member of the FBI, CIA, NSA, etc.) out of his misery; That's why no one will remember your name." Martinez captions this with "Don't forget assholes from the fusion center." It should be noted that Det. Mead is assigned to the LVMPD fusion center.

On 12/08/2020 Martinez posted a screen shot of two purported fake Facebook profiles who attempted to send him a friend request. Martinez captions these photos with "Nice try, Detective Kenneth Mead".

In a previously captured post with an unknown date posted during his CCW trial, Martinez posts a link to a YouTube video regarding convicted felon Bryce Cuellar with the caption "This is Bryce Cuellar AKA Fisherofmen. He is in prison for ranting on his YouTube channel about government corruption. He was targeted by LVPD Detective Kenneth Mead and Deputy District Attorney Michael Dickerson, the same two tyrants who are currently targeting me. Detective Mead took Bryce's words out of context and blew his statement way out of proportion just to increase the odds for a conviction. They manipulated the fact to put an innocent man behind bars! Please listen to his story and keep him in your thoughts and prayers.#" (Exhibit 3)

On 02/17/2021 at approximately 8:37pm, LVMPD dispatch received a phone call from 702-308-3378 on the 311 recorded line. The caller identified himself as Joshua Martinez and verified his call-back number as 702-308-3378. During the recorded conversation with the LVMPD dispatcher, the individual who identified himself as Joshua Martinez states that he is trying to get into contact with a detective who has possession of his personal property.

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When asked by the dispatcher which detective Martinez is trying to contact, Martinez states that he is trying to contact Detective Kenneth Mead who works in the LVMPD Fusion Center. Martinez then tells the dispatcher that if he contacts Detective Mead right now, that Det. Mead will probably call Martinez immediately, as they have been in contact in the past. Martinez then states that he will hang up and wait to be called back. LVMPD dispatch then calls Detective Mead and advises him of the phone call by Joshua Martinez. Det. Mead advises the dispatcher that Martinez has previously made threats against his person, and asks that the recorded conversation be flagged to be retained, as well as sent to his immediate supervisor, your declarant, Sergeant A. Packe P#7417. Det. Mead then states that he will be advising his supervisory chain regarding this phone call. Det. Mead then immediately contacted your declarant regarding this phone call from Joshua Martinez.

As your declarant knows that Martinez has previously made threats and harassing statements regarding Det. Ken Mead and DDA Michael Dickerson on his personal Facebook page, your declarant did an open source search of the Facebook page belonging to Joshua Martinez (<https://www.facebook.com/profile.php?id=100055990480014>). Your declarant found that at approximately 8:45pm, a post was made Martinez which stated that following; "This is Michael Dickerson. He is Detective Kenneth Meads Bitch. Dickerson, I hope YOU and Mead die a slow and painful death. I hope your family witness it. Mead, I have a message for you= Molon Labe". Below this comment is a picture of Clark County DDA M. Dickerson in a court setting, which appears to have been copied from what is believed to be a news article in the Las Vegas Review Journal newspaper (Exhibit 4). It should be noted that "Molon Labe" is a classical Greek phrase meaning "come and take it (them)", attributed to King Leonidas of Sparta as a defiant response to the demand that his soldiers lay down their weapons. Gun-rights advocates have adopted the phrase as a challenge to perceived attempts by the government to confiscate firearms.

On 02/17/2021, approximately 3 hours later (exact time unknown due to the nature of Facebook time stamps on posted items), Martinez posts a link on his Facebook account to an article from the Free Thought Project (referenced earlier in the affidavit). The comment above the article states "My kids are still hurting over this. Thanks to Police the Police and Free Thought Project for sharing my story. Love you all. It should be reiterated that this article features an interview with Martinez during which he essentially blames Det. Mead for targeting him for arrest and his subsequent time spent in custody because he is a Constitutional activist.

On 02/18/2021, approximately 1 hour after the previous post, Martinez posted another photograph stating "I cant wait to see the news and hear that Detective Kenneth Mead is in that casket." Below this comment is an unknown picture of 9 police officers carrying a flag draped coffin. It should be noted that this how funerals for police officers are generally conducted. (Exhibit #5)

On 02/18/2021, your declarant conducted an open source search of an Instagram account, purported to belong to Joshua Martinez ([Instagram.com/battlebornmedia/?hl=en](https://www.instagram.com/battlebornmedia/?hl=en)). The title of the Instagram page is "Battlebornmedia". The heading on this page states "Joshua Martinez; Las Vegas Activist" and has a link to the Youtube page operated by Joshua Martinez to showcase his "Auditing" activities (<https://www.youtube.com/channel/UCzP9l6r-yFPowEaNHndFglg>). A photo on this Instagram page is a picture of Joshua Martinez holding what appears to be an

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AK-47 rifle. This Instagram page has privacy settings which are set to public viewing, meaning that this information is open source and no surreptitious investigative techniques are necessary in order to view the contents of this page. A picture posted at an unknown time on 02/18/2021 has the caption "How police officers take out their trash". Below this caption is the same picture of a flagged draped coffin carried by police officers that was posted on his Facebook account on 02/18/2021. At the bottom of the picture is a comment that states "battlebornmedia Rip Mead" (Exhibit 6).

Your declarant conducted an interview with DDA Michael Dickerson on 02/18/2021. DDA Dickerson stated the following; on 02/17/2021 has was made aware of the Facebook post made by Joshua Martinez, in which Martinez states "This is Michael Dickerson. He is Detective Kenneth Meads Bitch. Dickerson, I hope YOU and Mead die a slow and painful death. I hope your family witness it. Mead, I have a message for you= Molon Labe". DDA Dickerson stated that this posts, as well as the previously mentioned posts regarding Det. Mead's death, placed him in fear for his life as well as the lives and safety of his family members and Det. Mead. DDA Dickerson states that he immediately took steps to secure his person and his home and is continuing to take steps to protect his family from harm. As of the writing of this affidavit DDA Dickerson is in the process of applying for a Temporary Protective order against Joshua Martinez (DOB [REDACTED]).

DDA Dickerson further related that he came to know Joshua Martinez while prosecuting him for a CCW charge in 2017. DDA Dickerson stated that during the time he was prosecuting Martinez, he became familiar with his violent past (referring to his previous criminal arrests detailed earlier in this affidavit), as well as his social media presence. While prosecuting the Martinez CCW case (Clark County District Court case C-17-32661-1), DDA Dickerson presented the court with numerous threatening Facebook posts Martinez had made glorifying the killing of police officers. DDA Dickerson stated that since the 2017 prosecution, he has observed numerous social media posts by Martinez wherein Martinez expresses his grievance against DDA Dickerson. DDA Dickerson stated that due to his successful prosecution of Martinez, Martinez was convicted of a felony offense and has since become a prohibited person with regards to the right to possess a firearm. DDA Dickerson further related that the previously referenced "Molon Labe" comment leads him to believe that Martinez is in the possession of a firearm, which causes him fear for his, and his family's safety.

On 02/18/2021, your declarant also conducted an interview with LVMPD Detective Kenneth Mead. Det. Mead stated that he was involved in a February 2017 interaction with Joshua Martinez at the Lloyd D George federal courthouse for offenses committed on the property. During this interaction, Det. Mead conducted an interview with Martinez and then released him to LVMPD patrol officers. Det. Mead also stated that he attended the sentencing hearing for Martinez and presented to the prosecuting DA, Deputy DA Michael Dickerson, social media posts that Martinez had made since his June 2017 arrest until sentencing. The posts, which were presented in the sentencing hearing and before Judge Douglas Smith, included several memes and posts on the Facebook page of Martinez, of a police funeral and implying cops should die, advocating force and violence towards law enforcement, and further YouTube video advocating violence against law enforcement and government officials. During open court on 02/27/2019, Martinez was questioned about the posts and readily admitted to the court that he felt people could

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shoot and kill law enforcement based on unlawful police action. Martinez agreed, to Judge Douglas Smith, that he believed that premise.

Det. Mead further stated that Since 2017, Martinez has engaged in a course of conduct which would make a reasonable person feel harassed based on his repeated and continual online posting regarding Det. Mead and his position with the Las Vegas Metropolitan Police Department. The online activity and social media posting activity and rhetoric have been escalating for the past several months. Det. Mead stated he is aware that on January 6, 2021, on the same day as the Capitol insurrection which occurred in Washington DC, Martinez posted a threat against Det. Kenneth Mead on his open-source Facebook page and this threat states "this is detective Kenneth Mead with the Metropolitan Police Department. He is an enemy of the constitution and has tried to make my life a living hell but has failed. To any activist here in Las Vegas please keep an eye out for him. I also have his resume just in case you want more Intel on him. Contact me for more information." Martinez further posted a picture of Det. Mead to the Internet which was taken during a training conference Det. Mead was giving on sovereign citizen extremism. Det. Mead stated that Martinez regularly posts on Martinez's Facebook and YouTube accounts photos of Det. Mead, videos, and content describing him as unconstitutional and encouraging people to contact Martinez so he can disseminate Det. Mead's personal information.

Det. Mead stated he has been subject to unwarranted online harassment and threats to his person and family by Martinez. This has escalated in Martinez attempting to reach out directly to Det. Mead via his employer. Martinez has engaged in slanderous speech, posting to his numerous social media followers Det. Mead's name, photograph, and the fact that he is unconstitutional, thereby defaming his character and his reputation in law enforcement. Det. Mead states that all of the allegations by Martinez are without merit. Det. Mead states that he does fear for his safety and has taken additional safety precautions at his residence, with his family, with his employer, and with his neighbors because of the harassment/threats by Martinez.

During your declarant's interview with Det. Mead reference the continual instances of harassment by Martinez, Det. Mead stated that he has had no contact with Martinez since his trial for carrying a concealed weapon ended in 2019, nor has he conducted any further investigations into Martinez.

Your declarant noted that as of 02/18/2021, Joshua Martinez has 784 friends on his Facebook account (<https://www.facebook.com/profile.php?id=100055990480014>), and is followed by an additional 91 individuals. Many of these individuals harbor known anti-government/anti-law enforcement sentiments and have participated in armed resistance against government authorities. Many others are "1st Amendment auditors" who routinely target law enforcement and government personnel and facilities for harassment. Based on this information, it appears clear that Martinez has the appropriate "target audience" on Facebook with which to continue his targeted harassment of Det. Mead by passing "intel" regarding him to like-minded individuals.

Based on the information provided in the social media postings from Joshua Martinez on his Facebook account and other forms of electronic communications to include YouTube, Instagram, and other websites, it appears clear

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that Joshua Martinez was attempting to use his electronic influence to intimidate Det. Mead during his CCW prosecution, in order to discourage his further participation. Further, your declarant believes that Martinez's continued electronic harassment of Det. Mead is clearly intended to discourage Det. Mead from conducting any further investigations into Martinez's continual anti-government/anti-law enforcement activities which includes conspiring with other like-minded individuals to continue with the targeted harassment. As well, your declarant believes that it is clear that Martinez has continued a prolonged course of action targeting Det. Mead and DDA Dickerson which would, without lawful authority, willfully or maliciously engage in a course of conduct directed towards the victims that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for their immediate safety or the immediate safety of a family or household member, through the use of the internet. Furthermore, Martinez's statements have been construed as threats towards DDA Dickerson and Det. Mead and has, by words or conduct, placed the DDA Dickerson and Det. Mead in reasonable fear that the threat will be carried out.

Based on the aforementioned information, your declarant and all others cognizant of this investigation, believe the probable cause submitted in this affidavit tends to support that Joshua Martinez has exhibited a pattern of behavior which constitutes the criminal offense of Aggravated Stalking 200.571, Stalking with use of Internet NRS 200.575 4, and Harassment NRS 200.571 1b wherein Det. Kenneth Mead is the victim, as well as committing a second criminal offense of Harassment NRS 200.571 1b, wherein DDA Michael Dickerson is the victim.

Wherefore, Declarant prays that a Warrant of Arrest be issued for suspect Joshua Martinez on the charge(s) of Aggravated Stalking 200.571, Stalking with use of Internet NRS 200.575 4, and Harassment NRS 200.571 1b (2 counts) .

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on this 18th day of February, 2021.

DECLARANT:

Amir S 7417

WITNESS:

9/18/21 # 5741

DATE: 02/18/2021

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and record in Justice Court of Las Vegas Township, in and for the County of Clark, State of Nevada

By: *[Signature]* DeputyDate: 8-10-22

